

NOTICE TO DEFENDANT [SUMMARY OFFENCE NOT PUNISHABLE BY IMPRISONMENT]

To the Defendant: **WARNING**

After receiving this notice, **you must follow the instructions below.**

You must decide if you will:

- (1) Plead **guilty** to the offence[s] (crime);
OR
- (2) Plead **not guilty** to the offence[s] (crime).

You should obtain legal advice before making this decision.

You will need to follow different instructions depending on whether you plead **guilty** or **not guilty**.

If you fail to follow the instructions the Court may:

- **Proceed (continue) without you, or**
- **issue a warrant for your arrest**

If you do not attend and the Court proceeds, **you may be convicted and sentenced** for the charged offences set out in the Information.

If you intend to plead guilty to the offence[s] (crime), you must:

- Attend Court yourself or through your solicitor; **OR**
- Fill out a Form 51 'Written Guilty Plea' available to the CourtSA portal (website). If you fill this out you must have it witnessed by an authorised witness and either upload it on the CourtSA website or lodge it at a Court Registry at least 7 days before the hearing date; **OR**
- Fill out a Form 51 'Written Guilty Plea'. If you fill this out you must have it witnessed by an authorised witness and send it to the relevant Court Registry. Note: This form must be received at least 7 days before the hearing date.

Note: if you are found guilty of a driving offence, you may be issued with demerit points. If you wish to apply for the demerit points to be reduced, you must attend Court to give evidence.

OR:

If you intend to plead not guilty, you must

- Attend Court yourself or through your solicitor at the next hearing (and the subsequent hearings for your matter) and indicate a not guilty plea.

Information on Guilty Pleas

If you plead guilty to an offence, you may be eligible for a reduction in the sentence you receive for the offence. The maximum reductions available are set out in section 39 of the *Sentencing Act 2017*.

The maximum reduction you may be eligible for depends on when you plead guilty. Time begins to be counted from your first appearance in the Court.

You will have an opportunity to plead guilty at any hearing. However, if you wish to plead guilty before your next hearing date, you will need to apply to have the matter called on to enter your plea. You can do this by filling out a Form 52 'Request to have Matter Called on for Guilty Plea' available on the CourtSA portal (website). If you fill out this form you must either upload it to the CourtSA website or lodge it at a Court Registry as soon as possible.

Service

The party filing this document is required to serve it on all other parties in accordance with legislation and the Rules of Court.